

**Introduced by Senator Pavley**February 10, 2011

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An act to amend Section 13752 of the Water Code, relating to water.

## LEGISLATIVE COUNSEL'S DIGEST

SB 263, as introduced, Pavley. Wells: reports: public availability.

Existing law requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well, or abandons or destroys a well, or deepens or re-perforates a well, to file a report of completion with the Department of Water Resources. Existing law prohibits those reports from being made available to the public, except under certain circumstances.

This bill would instead make a report relating to a well constructed, altered, abandoned, or destroyed on or after January 1, 2012, available to the public. The bill, commencing July 1, 2013, would also make available to the public reports relating to a well constructed, altered, abandoned, or destroyed before January 1, 2012, unless the department receives notification by the well owner that the well owner desires to keep the report confidential.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 13752 of the Water Code is amended to
- 2 read:
- 3 13752. ~~Reports~~—(a) (1) *Except as otherwise provided in*
- 4 *paragraph (2), a report* made in accordance with paragraph (1) of
- 5 subdivision (b) of Section 13751 *for well construction, alteration,*

1 *abandonment, or destruction completed before January 1, 2012,*  
2 *shall not be made available for inspection by the public, but shall*  
3 *be made available to governmental agencies for use in making*  
4 *studies, or to any person who obtains a written authorization from*  
5 *the owner of the well. However, a report associated with a well*  
6 *located within two miles of an area affected or potentially affected*  
7 *by a known unauthorized release of a contaminant shall be made*  
8 *available pursuant to this paragraph to any person performing an*  
9 *environmental cleanup study associated with the unauthorized*  
10 *release, if the study is conducted under the order of a regulatory*  
11 *agency. A report released pursuant to this paragraph to a person*  
12 *conducting an environmental cleanup study shall not be used for*  
13 *any purpose other than for the purpose of conducting the study.*

14 *(2) Commencing July 1, 2013, the department shall make*  
15 *available to the public a report described in paragraph (1), unless*  
16 *the department receives notification by the well owner that the*  
17 *well owner desires to keep the report confidential.*

18 *(b) Commencing January 1, 2012, the department shall make*  
19 *available to the public a report made in accordance with*  
20 *paragraph (1) of subdivision (b) of Section 13751 for well*  
21 *construction, alteration, abandonment, or destruction completed*  
22 *on or after January 1, 2012.*